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4 UNITED STATES DISTRICT COURT

5 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION
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8 RENEE KLEP, individually and as
9 successor-in-interest to DARIN
10 KLEP, DECEDENT; A.K. a
11 minor by her guardian Ad Litem,
12 RENEE KLEP,

13 Plaintiffs,

14 vs.

15 COUNTY OF SISKIYOU; CITY OF
16 MT. SHASTA, a Municipal entity; CHRIS
17 STOCK, an individual; RICHARD EVANS,
18 an individual; WALTER MOORE, an
19 individual

20 Defendants.
21 _____/

CASE NO.: 2:23-CV-00274-WBS-DB

22 **STIPULATION AND ORDER TO
23 MODIFY SCHEDULING ORDER
24 [DOCUMENT 18]**

25 **IT IS HEREBY STIPULATED** by and among the Plaintiffs, RENEE KLEP and A.K.
26 (hereinafter referred to as the “PLAINTIFFS”), and Defendants, COUNTY OF SISKIYOU,
27 CITY OF MT. SHASTA, CHRIS STOCK, RICHARD EVANS, WALTER MOORE, and JUAN
28 CASANOVA (hereafter collectively referred to as the “DEFENDANTS”), who may be
collectively referred to as the “PARTIES,” through their respective counsel of record, as
follows:

1 WHEREAS counsel for the PARTIES met and conferred by email and telephone on
2 several occasions, prior to execution of this stipulation, concerning the status of discovery and
3 anticipated timeline for completion of remainder of both expert and non-expert discovery;

4 WHEREAS the parties have started taking non-expert depositions in this matter but, so
5 far, have only been able to coordinate and complete the depositions of CHRIS STOCK,
6 RICHARD EVANS, and WALTER MOORE;

7
8 WHEREAS counsel for the parties still need the depositions of JUAN CASANOVA,
9 RENEE KLEP, in addition to several non-party witnesses;

10 WHEREAS counsel for the parties have also arranged for the in-person inspection of
11 several items of evidence with PLAINTIFF'S ballistics expert at the District Attorney's office in
12 Yreka, California;

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14 WHEREAS counsel for the PARTIES have been exploring the possibility of settlement
15 through mediation or some alternative means and have informally agreed to stay further
16 discovery and expert work pending exploration of those discussions;

17 WHEREAS the PARTIES contacted the Hon. Magistrate Judge Carolyn Delaney and
18 requested available dates for a Settlement Conference and the earliest available date that worked
19 for all PARTIES was December 9, 2024;

20
21 WHEREAS the PARTIES submitted a joint request for referral to Magistrate Judge
22 Delaney on August 19, 2024;

23 WHEREAS counsel for the PARTIES agree that additional time is needed to complete
24 the remaining expert, and non-expert, discovery, and have stipulated to extend all pre-trial
25 deadlines by 8 months;
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1 IT IS HEREBY STIPULATED AND AGREED by and among the PARTIES that the
2 existing pretrial scheduling order, electronically filed as Document 18, shall be modified and the
3 deadlines stated therein shall be amended as follows:

- 4 1. The parties shall disclose experts and produce reports in accordance with FRCP
5 26(a)(2) by no later than April 6, 2025.
- 6 2. The parties shall disclosure rebuttal experts and reports in accordance with FRCP
7 26(a)(2) on or before May 5, 2025.
- 8 3. Discovery to be completed by June 4, 2025. All motions to compel discovery must be
9 noticed on the magistrate judge's calendar in accordance with the local rules of this
10 court and so that such motions may be heard (and any resulting orders obeyed) not
11 later than June 4, 2025.
- 12 4. All motions, except motions for continuances, temporary restraining orders, or other
13 emergency applications, shall be filed on or before August 2, 2025. All motions shall
14 be noticed for the next available hearing date.
- 15 5. The final pretrial conference currently scheduled for March 17, 2025, shall be taken
16 off calendar and reset for November 3, 2025, at 1:30 p.m. in Courtroom No. 5.
- 17 6. The jury trial currently set for May 26, 2025 shall be taken off calendar and reset for
18 January 26, 2026, at 9:00 a.m.

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22 *[Signatures to follow on next page.]*

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1 Dated: August 19, 2024

MAIRE & DEEDON

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3 /s/ Tracey A. Werner

4 PATRICK L. DEEDON

TRACEY A. WERNER

5 Attorneys for Defendants,

COUNTY OF SISKIYOU,

6 CHRIS STOCK AND RICHARD EVANS

7 Dated: August 19, 2024

ANGELO, KILDAY & KILDUFF, LLP

8
9 /s/ Derick E. Konz

10 DERICK E. KONZ

JACOB J. GRAHAM

11 Attorneys for Defendants,

CITY OF MT. SHASTA, SERGEANT MOORE,

12 OFFICER CASANOVA

13 Dated: August 19, 2024

LAW OFFICES OF PHILIP J. KAPLAN

14
15 /s/ Philip J. Kaplan

16 PHILIP J. KAPLAN

Attorneys for Plaintiffs,

17 RENEE KLEP and A.K.

18 *[Order to follow on next page.]*

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ORDER


Having reviewed the Parties' stipulation, and good cause appearing therefore,

IT IS HEREBY ORDERED:

The Parties' STIPULATION AND [PROPOSED] ORDER TO MODIFY THE SCHEDULING ORDER [DOCUMENT 18] is approved as an Order of this Court. The existing Scheduling Order, electronically filed as Document 18, is hereby modified and the deadlines stated therein shall be amended as follows:

1. The parties shall disclose experts and produce reports in accordance with FRCP 26(a)(2) by no later than **April 7, 2025**.
2. The parties shall disclosure rebuttal experts and reports in accordance with FRCP 26(a)(2) on or before **May 5, 2025**.
3. Discovery to be completed by **June 4, 2025**. All motions to compel discovery must be noticed on the magistrate judge's calendar in accordance with the local rules of this court and so that such motions may be heard (and any resulting orders obeyed) not later than **June 4, 2025**.
4. All motions, except motions for continuances, temporary restraining orders, or other emergency applications, shall be filed on or before **August 4, 2025**. All motions shall be noticed for the next available hearing date.
5. The final pretrial conference currently scheduled for March 17, 2025, shall be taken off calendar and reset for **November 3, 2025, at 1:30 p.m.** in Courtroom No. 5.
6. The jury trial currently set for May 26, 2025, shall be taken off calendar and reset for **January 27, 2026, at 9:00 a.m.**

Dated: August 21, 2024


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE